IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS CORPUS CHRISTI DIVISION

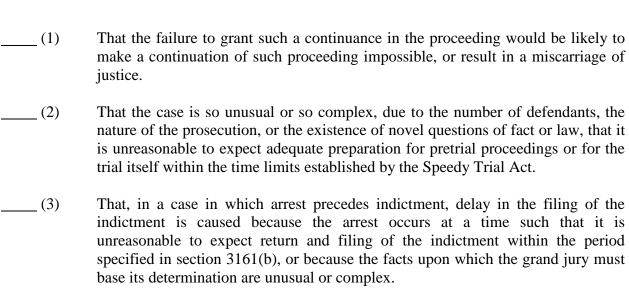
| UNITED STATES OF AMERICA | & & & | |
|--------------------------|-----------------|---------------------------------|
| v. | § | CRIMINAL NO. C-11-1020-1 |
| | § | |
| JOSE RENE ALANIZ | § | |
| | § | |

ORDER GRANTING CONTINUANCE

On November 16, 2011, Defendant Jose Rene Alaniz, moved for a continuance on the following grounds: <u>Although discovery is presently being conducted, Mr. Alaniz is requesting a continuance in order to allow counsel to complete the discovery since there is a significant volume of material regarding the charge. (D.E. 14).</u>

Under the Speedy Trial Act, a district court may grant a continuance and exclude the resulting delay from the time in which a trial must commence if it makes on-the-record findings that the ends of justice served by granting the continuance outweigh the public's and defendant's interests in a speedy trial. 18 U.S.C. § 3161(h)(7).

Having considered Defendant's Motion, the presentations of counsel, and all other relevant factors, the Court finds:



X (4) That the failure to grant such a continuance in a case which, taken as a whole, is not so unusual or so complex as to fall within clause (2) above, would deny the defendant or the government continuity of counsel, or would deny counsel for the defendant or the attorney for the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

(5) Other relevant factors:

The Court finds that the ends of justice are served by granting a continuance in this case and outweigh the best interests of the public and Defendant in a speedy trial. The Court therefore **GRANTS** Defendant's Motion and **CONTINUES** the trial of this case until the final pretrial conference on <u>January 5</u>, 2012 at 8:30 a.m. and jury selection/trial on <u>January 9</u>, 2012 at 8:30 a.m.

ORDERED this 17th day of November, 2011.

NELVA GONZALES RAMOS

UNITED STATES DISTRICT JUDGE